

### **IC 16-35-3**

#### **Chapter 3. Children With Special Health Care Needs County Fund**

### **IC 16-35-3-1**

#### **Establishment of fund; funding**

Sec. 1. A fund is established in each county to be known as the children with special health care needs county fund. The fund shall be funded by a tax levy on the property located in the county and by the financial institutions tax (IC 6-5.5) that is allocated to the fund.  
*As added by P.L.2-1993, SEC.18.*

### **IC 16-35-3-2**

#### **County property tax levy; collection**

Sec. 2. (a) The tax shall be imposed annually by the county fiscal body on all of the taxable property of the county.

(b) The total tax levy that a county may impose under this section equals the amount determined under section 3 of this chapter.

(c) The tax must be collected as other state and county ad valorem property taxes are collected.

*As added by P.L.2-1993, SEC.18.*

### **IC 16-35-3-3**

#### **County property tax levy; computation formula**

Sec. 3. (a) For taxes first due and payable in each year after 2003, each county shall impose a children with special health care needs property tax levy equal to the product of:

(1) the children with special health care needs property tax levy imposed for taxes first due and payable in the preceding year, as that levy was determined by the department of local government finance in fixing the civil taxing unit's budget, levy, and rate for that preceding calendar year under IC 6-1.1-17 and after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to the levy for the calendar year; multiplied by

(2) the greater of:

(A) the county's assessed value growth quotient for the ensuing calendar year, as determined under IC 6-1.1-18.5-2;

or

(B) one (1).

When a year in which a statewide general reassessment of real property first becomes effective is the year preceding the year that the property tax levy under this subsection will be first due and payable, the amount to be used in subdivision (2) equals the average of the amounts used in determining the two (2) most recent adjustments in the county's levy under this section. If the amount levied in a particular year exceeds the amount necessary to cover the costs payable from the fund, the levy in the following year shall be reduced by the amount of surplus money.

(b) The department of local government finance shall review each county's property tax levy under this section and shall enforce the

requirements of this section with respect to that levy.

*As added by P.L.2-1993, SEC.18. Amended by P.L.4-1993, SEC.244; P.L.5-1993, SEC.257; P.L.90-2002, SEC.401; P.L.1-2004, SEC.56 and P.L.23-2004, SEC.58.*

#### **IC 16-35-3-4**

##### **Deposit of tax levy receipts**

Sec. 4. All of the receipts derived from the tax levy shall be deposited into the children with special health care needs county fund.

*As added by P.L.2-1993, SEC.18.*